

Remarks/Arguments

The Examiner is thanked for the careful review of this Application. Claims 1- 21 are pending after entry of the present Amendment. Amendments were made to the Title and the Abstract. Amendments were made to the claims to correct typographical errors and to better defined the invention. The amendments do not introduce new subject matter.

Objection to Title:

The Office has objected to the Title of the invention for failing to be descriptive. Per the Office's request, the Title has been amended to specifically recite a Remote System Controller and Data Center and Methods for Implementing the Same. Thus, it is respectfully requested that objection to the Title be withdrawn in view of the clarifying amendments.

Objection to the Abstract:

The Office has further objected to the Abstract for exceeding the 150-word length limit. Per the Office's request, the Abstract has been amended to be less than the 150-word length limit. Thus, it is respectfully requested that objection to the Abstract be withdrawn.

Objections to Claims:

The Office has objected to claim 14 for failing to follow the transitional phrase with a colon. The Applicants have corrected the typographical error. As such, the Applicants respectfully request that objection to claim 14 be withdrawn.

The Applicants herein acknowledge the Office's objections to claims 8, 11, 17, and 21 as being dependent upon rejected claims.

Rejections under 35 U.S.C. § 102:

The Office has rejected claims 12-16 and 18-20 under 35 U.S.C. section 102(e) as being anticipated by United States Patent No. 6,662,217 Godfrey et al. (hereinafter referred to as Godfrey). For at least the following reasons, the Applicants submit that Godfrey fails to disclose each and every feature of the claimed invention, as defined in amended independent claims 12 and 18.

It is respectfully submitted that among other features, Godfrey fails to disclose registering the data center with a registry service, as defined in the claimed invention. Having read the Office Action, the Applicants are not clear as to the specific components the Office interprets to be the data center and the registry service. For instance, in the particular excerpt of Godfrey cited by the Office (Figure 5, index 150, and column 4, lines 9-12), Godfrey discloses that the computers register with the central testing server 22 by loading the ATS 60. As such, the Applicants are lead to believe that the Office interprets the central testing server 22 to be equivalent to the registry service of the claimed invention and the ATS 60 as the data center of the claimed invention. However, on page 2 of the Office action, the Office has

referred to Figure 1, indices 22 and 26, lines 57-65 for disclosing launching of the controller code. In doing so, the Office has interpreted the central testing server 22 (also interpreted by the Office to be the registry service) and the administration client 26 to be equivalent to data center, and the user interface code, correspondingly. Additionally, the Applicants are unclear as to the exact component the Office interprets to be the controller system of the claimed invention.

Additionally, Godfrey fails to disclose maintaining a data center copy provided to a user interface synchronized with the data center if the data center receives a request to change data in the data center from the user interface, as defined in the amended independent claims. Citing to column 7, lines 21-26, the Office has interpreted that an event coordination structure 138 tracks a set of events to synchronize operation of the testing process. One must note that the cited excerpt does not disclose making any changes to the data center interpreted by the Office to be the ATS 60 (in accordance with one of the Office's interpretations). The Applicants respectfully submit that Godfrey discloses keeping track of events in a testing process in order to build up an internal event coordination structure. In this manner, multiple events can be coordinated so as to ensure that the steps of the testing process occur in a prescribed order. Maintaining synchronized steps of a process synchronized in accordance with a prescribed order, however, is not the same as maintaining the data in the data center copy and the data center synchronized, wherein an order may not have been prescribed. Furthermore, in the claimed invention, the user interface can change data center copy. In Godfrey, however, the computer system is not disclosed to be able to change the order of process execution (interpreted by the Office to be the same as the data center of the claimed invention).

Accordingly, independent claims 12 and 18 are respectfully submitted to be patentable under 35 U.S.C. § 102(e) over Godfrey. In a like manner, dependent claims 13-16 and 19-20 each of which directly or indirectly depends from the applicable independent claim are submitted to be patentable under 35 U.S.C. § 102(e) over Godfrey for at least the reasons set forth above regarding the independent claims 12 and 18.

Rejections under 35 U.S.C. § 103(a):

Claims 1-10 have been rejected under 35 U.S.C. 103(a) as being obvious over the U.S. Patent No. 6,263,265 to Fera in view of Godfrey. For at least the reasons provided below, it is respectfully submitted that the combination of the cited prior art fails to raise a *prima facie* case of obviousness against the subject matter defined in amended independent claim 1. It is respectfully submitted that the Office has failed to establish some "suggestion, teaching, or motivation" in the cited prior art that would have led a person of ordinary skill in the art to combine the relevant prior art teachings in the manner claimed without any knowledge of the claimed invention. *See Tec Air, Inc. v. Denso Mfg. Mich. Inc.*, 192 F.3d 1353, 1359-60 (Fed. Cir. 1999).

The Office has interpreted that it would have been obvious to one of ordinary skill in the art to combine the service system articulated by Fera with a data synchronization system disclosed in Godfrey. The Applicants respectfully traverse the Office's interpretation that Godfrey discloses a "data synchronization system." Contrary to the Office's interpretation, the system in Godfrey is taught to be a distributed test administration architecture capable of tracking a set of events so as to synchronize operation of the testing process. It is respectfully submitted that synchronizing the operations in a testing process in accordance with a prescribed order is not the same as synchronizing data in a data center, as defined in the claimed invention.

The Applicants further submit that contrary to the Office's interpretation, there is no teaching, motivation, or suggestion in Godfrey or Fera to combine the two references so as to arrive at the process execution management system of the claimed invention. Specifically, the teachings of Fera and Godfrey are not combinable because modifying Fera's system so as to synchronize data in the locomotives with the data in the data base renders the system of Fera unsuitable for its intended purpose. For instance, in Fera's system, the database includes data about location and operating parameters of each of the locomotives. Additionally, parameter data for all of the locomotives are routinely downloaded to the data base. It is respectfully submitted that combining Fera and Godfrey causes the locomotive data stored to the data base to be constantly replaced by the new locomotive data. If the locomotive data in the data base were to be used to update the data in all the remaining locomotives, irrespective of the parameter data of each locomotive, all the resulting locomotives would have the same data parameters, even if no changes were made to the remaining locomotives parameter data. In this manner, the members of the public and/or the owner of the locomotives are led to believe that all the locomotives have the same status. Accordingly, combining Fera and Godfrey results in using the status of one locomotive as the representative of all the remaining locomotives. However, using the data associated with single locomotive as the representative of the status of all the locomotives prevents Fera from achieving its goal of minimizing occurrence of unexpected failures and maximizing the efficiency of the operation of the locomotives.

Furthermore, even if Fera and Godfrey were combinable (a preposition with which the Applicants disagree), the combination of the two references would not have disclosed, suggested, or taught the process execution management system of the claimed invention. Specifically, in Fera, the data base includes data associated with location and operating parameters of each of the locomotives. As such, Fera does not teach, disclose, or suggest that the data base includes a data center which data is applicable to all the locomotives and is copied onto each of the locomotives.

Still further, nothing in Godfrey cures any of the deficiencies associated with Fera. For instance, the synchronizing operations in a test process taught in Godfrey can merely ensure

that testing steps are done in the prescribed order. However, the method of synchronizing order of testing steps taught in Godfrey cannot be used to synchronize data associated with locomotives, as Godfrey and Fera fail to teach that data has a prescribed order.

Yet further, the Applicants submit that the combination of the cited prior art fails to disclose, teach, or suggest all the features of the claimed invention, as defined in independent claim 1. For instance, among other features, the combination of Godfrey and Fera fails to disclose a controller system and data that is managed by the controller system; first and second user interface component instances and first and second user interfaces that are configured to notify the data center component of a change to the first copy and/or second copy of the data center component; and that the data center component is configured to issue updates to include the changes to each of the first copy of the data center component and the second copy of the data center component to maintain synchronized data between the first and second user interfaces.

Accordingly, amended independent claim 1 is respectfully submitted to be patentable under 35 U.S.C. section 103(a) over the combination of the cited prior art. In a like manner, dependent claims 2-10, each of which directly or indirectly depends from independent claim 1 are submitted to be patentable under 35 U.S.C. section 103(a) over the combination of the cited prior art for at least the reasons set forth above regarding independent claim 1.

The Applicants respectfully request examination on the merits of the subject application, and submit that all of the pending claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6913. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP034). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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